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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/783,046

02/19/2004

Shawn C. Pourchot

2901-PAT

6803

30084

7590

11/16/2005

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EXAMINER

BROWN, VERNAL U

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/783,046	<b>Applicant(s)</b> POURCHOT, SHAWN C.	
	<b>Examiner</b> Vernal U. Brown	<b>Art Unit</b> 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The application of Shawn Pourchot for Electric, Telephone or Network Access Control System and Method filed 2/19/2004 has been examined. Claims 1-20 are pending.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-13, 15, 17-20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Treidl US Patent 4442319 in view of Valiulis US Patent 6317028.

Regarding claims 1-3, 8-9, 13, 15, 17-18, Treidl teaches a receptacle access control system comprising: a receptacle adapted for cooperative engagement with a plug having plug connectors (figure 2); said receptacle having receptacle connectors adapted to engage with said plug connectors when said plug is engaged with said receptacle (col. 4 lines 5-17); said receptacle connectors communicating through a means for switching (56), with a means for transmission of electrical energy (36); said means for switching having a connected state wherein electrical energy is communicated to said receptacle connectors, said switching means having a disconnected state interrupting communication of said electrical energy to at least one of said receptacle connectors (col. 5 lines 6-21); a controller (46) communicating with said means for switching (figure 2), said controller changing said means for switching to either of said connected state or said disconnected state (col. 4 lines 55-65). Treidl is silent on teaching a

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transponder for broadcasting radio frequency energy in an energized state; and the controller having a means to receive said authorization radio signal, said controller changing said means for switching to said connected state for the duration of time said authorization radio signal is received, whereby communication of electrical energy is allowed from said receptacle through said plug only so long as said authorization radio signal is broadcast by said transponder located sufficiently adjacent to said controller for receipt by said controller. Valiulis in an art related electronic control and identification system teaches a transponder broadcasting an identification signal to a controller and the controller changing the means for switching to a connected state as long as the authorization radio signal is broadcast by said transponder located adjacent to said controller (col. 14 line 50-col. 15 line 9).

It would have been obvious to one of ordinary skill in the art to broadcasting radio frequency energy in an energized state; and the controller having a means to receive said authorization radio signal, said controller changing said means for switching to said connected state for the duration of time said authorization radio signal is received in Triedl as evidenced by Valiulis because Triedl suggests a controller powering an electrical equipment upon receipt of an identification code from the electrical equipment and Valiulis teaches an electrical equipment providing it identification code using RF transponder means and the electrical equipment is only switched on when the correct identification code is received in order to prevent the theft of the equipment.

Regarding claims 4-5 and 20, Triedl teaches timing means for signaling the end of a determined time period; and said controller changing said means for switching to said connected

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state until said end of said determined time period is communicated from said means for timing (col. 4 lines 37-40).

Regarding claims 10-12 and 19, Triedl teaches means to remotely update the list of preauthorized codes (col. 4 line 55-col. 5 line 21).

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treidl US Patent 4442319 in view of Valiulis US Patent 6317028 and further in view of Black 5910776.

Regarding claims 6-7, Triedl in view of Valiulis teaches the use of a transponder to transmit authorization code (see response to claim 1) but is not explicit in teaching removable attachment of transponder to one plug. Black in an art related equipment identification invention teaches attaching a transponder (1) to the plug (figure 3) by placing the transponder on the plug as an alternative to integrating the transponder into the plug (col. 4 lines 3 lines 60-66).

It would have been obvious to one of ordinary skill in the art to removable attached the transponder to the plug in Triedl in view of Valiulis as evidenced by Black because Triedl in view of Valiulis suggests the use of a transponder to transmit authorization code and the removable attachment of the transponder to the plug serves as a convenient means of attaching the transponder so it transponder can be in proximity to the reader.

Claims 14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treidl US Patent 4442319 in view of Valiulis US Patent 6317028 and further in view of Rodwin et al. US Patent 5812819.

Regarding claims 14 and 16, Triedl in view of Valiulis teaches controlling the access to the power supply (see response to claim 1) in order to ensure the operation of the electrical

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equipment is authorized but is silent on teaching controlling the access to a computer network.

One skilled in the art recognizes that the access to a computer network is conventionally controlled as evidenced by Rodwin et al. (col. 4 lines 38-56) in order to ensure that the computer network is accessed by authorized persons only.

It would have been obvious to one of ordinary skill in the art to control the access to a computer network in Triedl in view of Valiulis suggests controlling access to an electrical network for security purposes and one skilled in the art recognizes that access to a computer network is conventionally controlled as evidenced by Rodwin et al. in order to ensure that the computer network is accessed by authorized persons only.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vernal U. Brown whose telephone number is 571-272-3060. The examiner can normally be reached on 8:30-7:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Vernal Brown  
November 8, 2005



BRIAN ZIMMERMAN  
PRIMARY EXAMINER